

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NANCY HOPE FAIRSTONE-LUBET, :

Plaintiff, :

v. :

No. 2:10-cv-02280-ADS-WDW

RJM ACQUISITIONS, :

Defendant. :

OBJECTION TO MOTION TO
WITHDRAW AS PLAINTIFF'S COUNSEL

The defendant objects to the plaintiff's counsel's motion to withdraw unless and until the plaintiff either files a pro se appearance or substitute counsel appears.

In the meantime, the defendant reminds the Court that the plaintiff's counsel's motion did not comply with the Court's order of February 14, 2011. Plaintiff has neither responded as ordered to discovery nor informed that she will not proceed with this action. She has also not paid the attorney's fees award ordered by the Court.

Defendant requests that as a sanction for continued non-compliance that the action be dismissed with prejudice and granting the defendant a judgment for the attorney's fees awarded.

Date: March 4, 2010

DEFENDANT
RJM ACQUISITIONS

By: /s/
Jonathan D. Elliot

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Its Attorney

CERTIFICATION

I hereby certify that on March 4, 2011, a copy of the foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the court's CM/ECF System.

_____/s/_____
Jonathan D. Elliot